

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
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RK/ky

August 6, 2021

Cancellation No. **92075375**

*Common Sense Press Inc*  
*DBA Pocket Jacks Comics*

*v.*

*Ethan Van Sciver and*  
*Antonio J. Malpica*

**Yong Oh (Richard) Kim, Interlocutory Attorney:**

As last reset, Respondents were allowed until August 2, 2021, to answer the petition for cancellation.<sup>1</sup> On August 2, 2021, in lieu of an answer, Respondents moved to dismiss the petition for cancellation.<sup>2</sup>

When a party timely files a potentially dispositive motion, the proceeding is suspended with respect to all matters not germane to the motion, and no party should file any paper not germane thereto except as otherwise may be specified in a Board order. *See* Trademark Rule 2.127(d), 37 C.F.R. § 2.127(d).

Accordingly, as of the filing date of the motion to dismiss, proceedings are **SUSPENDED** pending disposition of the motion. Any paper filed during the

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<sup>1</sup> 17 TTABVUE.

<sup>2</sup> 18 TTABVUE.

pendency of this motion which is not germane thereto will be given no consideration. *See* Trademark Rule 2.127(d).

The motion to dismiss will be decided in due course.<sup>3</sup>

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<sup>3</sup> The schedule for the discovery conference, initial disclosures and discovery will be reset in the event proceedings herein are resumed. TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE (TBMP) § 401.01 (2021).